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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

Docket No: Q92435

Shigeto UCHIYAMA et al

Conf. No.: 0000

Appln. No.: 10/562,687

Group Art Unit: 0000

Filed: December 28, 2005

Examiner: Unassigned

For: EQUOL-PRODUCING LACTIC ACID
BACTERIA-CONTAINING COMPOSITION

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of each of the listed documents is submitted herewith.

It is noted that the following listed documents were also cited in the Information Disclosure Statement filed December 28, 2005:

WO 2004/009035; WO 99/07392; JP 2003-81855 and Motoi et al, *Nutrition Research*, 22(6):705-713 (2002).

The present Supplemental Information Disclosure Statement is being filed after three months from the application's filing date, but before the mailing date of the first Office Action on the merits. Therefore, no Statement under


**SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT
U.S. Appln. No. 10/562,687**

37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

A complete English translations of WO 99/07392 is also being submitted herewith, and therefore no concise explanation for such foreign language documents is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



Gordon Kit
Registration No. 30,764

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 11, 2006

Substitute for Form 1449 A & B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Application Number	10/562,687
Confirmation Number	0000
Filing Date	December 28, 2005
First Named Inventor	Shigeto UCHIYAMA et al
Art Unit	Unknown
Examiner Name	Unassigned
Attorney Docket Number	Q92435

Sheet

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of

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	2004/009035		01/29/2004	Children's Hospital Med. Cntr. et al	
		JP	2003-081855		03/19/2003	Yakult Honsha Co., Ltd.	Abstract
		WO	99/07392		02/18/1999	Otsuka Pharmaceutical Co., Ltd.	Yes

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		Motoi et al, <i>Nutrition Research</i> , 22(6):705-713 (2002)	
		Cai et al, <i>J. Gen. Appl. Microbiol.</i> , 45:177-184 (1999)	
		Elliott et al, <i>J. of Clin. Microbiol.</i> , 29(12):2731-2734 (1991)	
		Villani et al, <i>J. of Appl. Microbiology</i> , 90:430-439 (2001)	
		Yoneya et al, <i>Milk Science</i> , 48(2):65-71 (1999)	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.